

ACT 136

S.B. NO. 191

A Bill for an Act Relating to Psychologists.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 465-1, Hawaii Revised Statutes, is amended to read as follows:

“§465-1 Definitions. As used in this chapter:

- (1) “Board” means the board of certification for practicing psychologists.
- (2) “Director” means the director of commerce and consumer affairs.
- (3) “Application fee”, “renewal fee”, “temporary permit fee”, and “examination fee” mean the fees in the schedule set forth in section 465-12.
- (4) “Psychologist” means a person who engages in the practice of psychology as hereinafter defined.
- (5) A person practices “psychology” who performs any professional service which consists of, requires, and is limited to the application of psychological principles, techniques, and instruments for the purpose of assessment, diagnosis, and treatment of significant behavioral, emotional, and mental disorders as defined by the most current diagnostic manual of the American Psychiatric Association; and for the purpose of

the assessment, diagnosis, and rehabilitation of organic brain syndromes.”

SECTION 2. Section 465-4, Hawaii Revised Statutes, is amended to read as follows:

“§465-4 **Board of certification for practicing psychologists; appointment, qualifications, term, expenses.** There is created a board of certification for practicing psychologists, within the department of commerce and consumer affairs for administrative purposes, consisting of seven members. In accordance with section 26-34, the governor shall appoint, with the advice and consent of the senate, five members representing varied specialties of the profession from persons who would qualify for certification under this chapter and two lay members from the community at large. The terms of the board will be overlapping. Two psychologists and one lay member will be appointed for three years, two psychologists and one lay member will be appointed for two years, and one psychologist will be appointed for one year. The board shall elect one of its members to serve as chairman.

Members shall serve without compensation, except that they shall be reimbursed for actual expenses incurred in the performance of official duties on islands other than on the island of their residence.”

SECTION 3. Section 465-6, Hawaii Revised Statutes, is amended to read as follows:

“§465-6 **Powers and duties.** The board of certification for practicing psychologists shall:

- (1) Examine the qualifications of applicants for certification under this chapter to determine their eligibility for certification as psychologists and forward to the director the names of applicants who are eligible for [such] certification no later than ninety days after the date of application;
- (2) Prepare, administer, and grade [such] examinations and tests for applicants as may be required for the purposes of this chapter. The board shall determine the scope and length of [such] the examinations and tests, whether they shall be oral, written, or both and the score that shall be deemed a passing score. Examinations must be scheduled at least once annually;
- (3) Keep a record of action taken on all applicants for certification; the names of all persons certified; petitions for temporary certificates; actions involving suspension, revocation, or denial of certificates; recommendations for reciprocity and receipt and disbursal of any moneys[. The board shall report annually in writing to the governor concerning all the official acts of the previous year];
- (4) Promulgate, amend, and repeal pursuant to chapter 91, [such] rules [and regulations] as it deems proper for the purposes of this chapter.”

SECTION 4. Section 465-10, Hawaii Revised Statutes, is amended to read as follows:

“§465-10 Reciprocity. The board of certification for practicing psychologists may recommend certification without written or oral examination of an applicant who has not previously failed to pass an examination in psychology prescribed by the board and who submits evidence satisfactory to the board that:

- (1) [He] The applicant holds a doctoral degree from an accredited institution of higher education with training and education in the field of psychology adequate to the satisfaction of the board; and
- (2) [He] The applicant is certified or licensed, and in good standing, to practice psychology in another state deemed by the board to have standards equivalent to this chapter; or
- (3) [He] The applicant is a diplomate in good standing of the American Board of Examiners in Professional Psychology.

The director of commerce and consumer affairs shall issue a certificate under this section in the same manner and subject to the same conditions specified in section 465-8.”

SECTION 5. Section 465-12, Hawaii Revised Statutes, is amended to read as follows:

“§465-12 Fees; disposition. The fees required by this chapter, none of which are refundable, shall be as follows:

(1)	Application fee	\$10
(2)	Examination fee	75
(3)	Certificate fee.....	15
(4)	Renewal fee	30
(5)	Temporary permit fee	15

All fees shall be paid to the director of commerce and consumer affairs and shall be deposited [by him] with the director of finance to the credit of the general fund.”

SECTION 6. Section 465-13, Hawaii Revised Statutes, is amended to read as follows:

“§465-13 Denial, suspension, revocation of certificate. The board of certification for practicing psychologists shall refuse to grant a certificate to any applicant and may revoke or suspend any certificate upon any of the following grounds:

- (1) Professional misconduct or gross carelessness or manifest incapacity in the practice of psychology;
- (2) Habitual use of narcotic drugs or any other substance which impairs the intellect and judgment to such an extent as to incapacitate the applicant or certificate holder for the practice of psychology;
- (3) Habitual drunkenness;
- (4) Violation of this chapter;
- (5) Any unethical practice of psychology as defined by the board in accordance with its own rules [and regulations].”

SECTION 7. Statutory material to be repealed is bracketed. New material is underscored.

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SECTION 8. This Act shall take effect upon its approval.

(Approved May 28, 1983.)